

JAMES J. BERGMANN (SBN 220447)  
Law Office of James J. Bergmann  
631 5<sup>th</sup> Street, Suite 201  
Santa Rosa, CA 95404  
Telephone: (707)827-1975  
Facsimile: (707)827-1979  
[james@consumerlawoffice.net](mailto:james@consumerlawoffice.net)

Attorney for Plaintiff  
**BYRON D. DAUGHERTY**

TOMIO B. NARITA (SBN 156576)  
R. TRAVIS CAMPBELL (SBN 271580)  
SIMMONDS & NARITA LLP  
44 Montgomery St. Suite 3010  
San Francisco, CA 94104  
Telephone: (415) 283-1000  
Facsimile: (415) 352-2625  
[tnarita@snllp.com](mailto:tnarita@snllp.com)  
[tcampbell@snllp.com](mailto:tcampbell@snllp.com)

Attorneys for Defendant  
Citibank, N.A., successor in interest to  
Citibank (South Dakota), N.A.

UNITED STATES DISTRICT COURT

# NORTHERN DISTRICT OF CALIFORNIA

## OAKLAND DIVISION

BYRON D. DAUGHERTY,

CASE NO. C 11-01285-SBA

**Plaintiff,**

vs.

EXPERIAN INFORMATION  
SOLUTIONS, INC.;  
TRANS UNION LLC;  
EQUIFAX INFORMATION SERVICES  
LLC;  
CITIBANK (SOUTH DAKOTA), N.A.;  
and DOES 1 through 30, inclusive.

**SECOND STIPULATION TO  
EXTEND TIME TO FILE  
REPLY IN SUPPORT OF  
CITIBANK, N.A.'S MOTION  
TO COMPEL ARBITRATION;  
ORDER**

## Hon. Saundra Brown Armstrong

## Defendants

Plaintiff Byron D. Daugherty (“Plaintiff”) and Defendant Citibank, N.A., successor in interest to Citibank (South Dakota) N.A. (“Citibank”) hereby stipulate to the following:

1. WHEREAS Citibank filed a Motion to Compel Arbitration on August 19, 2011(the “motion”);

2. WHEREAS Pursuant to the stipulation between Plaintiff and Citibank filed on October 14, 2011, Plaintiff filed his opposition to the motion on October 14, 2011 and Citibank's amended reply in support of the motion was due on or before November 4, 2011 (*see* Doc. No. 39);

3. WHEREAS Pursuant to the stipulation between Plaintiff and Citibank filed on November 4, 2011, Citibank's amended reply in support of the motion was due on or before November 18, 2011 (*see* Doc. No. 41);

4. WHEREAS Due to the schedules of Citibank's client representative and Citibank's counsel, Citibank requires additional time to prepare its amended reply.

5. WHEREAS On November 15, 2011, Plaintiff agreed to allow Citibank to file its amended reply on or before December 2, 2011;

6. WHEREAS the requested extension of time will have no effect on the case schedule as the hearing for the motion is set for January 24, 2012;

7. THEREFORE Plaintiff and Citibank, by and through their undersigned counsel, hereby stipulate and agree that Citibank's deadline to file its amended reply in support of its Motion to Compel Arbitration is December 2, 2011.

## IT IS SO STIPULATED.

DATED: November 21, 2011 Law Office of James J. Bergmann

## Law Office of James J. Bergmann

By: /s/James J. Bergmann

# James J. Bergmann

Attorney for Plaintiff Byron D. Daugherty

DATED: November 21, 2011

Simmonds & Narita LLP

By: /s/R. Travis Campbell

R. Travis Campbell

Attorneys for Defendant Citibank, N.A.,  
successor in interest to Citibank (South  
Dakota), N.A.

PURSUANT TO STIPULATION, IT IS SO ORDERD.

DATED: 11/28/11

Saundra B. Armstrong  
SAUNDRA BROWN ARMSTRONG  
U.S. District Judge